

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

GIOVANNA WESTWOOD,
Plaintiff,
v.
JP MORGAN CHASE BANK, N.A.,
Defendant.

Case No. 2:16-cv-02409-RFB-GWF

ORDER

This matter is before the Court on Defendant's Motion to Strike ECF No. 19 (ECF No. 34), filed on June 16, 2017. Plaintiff filed her Response (ECF No. 36) on June 27, 2017 and Defendant filed its Reply (ECF No. 37) on June 28, 2017.

Under Rule 12(f) of the Federal Rules of Civil Procedure, the Court may strike from a pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter. Fed. R. Civ. P. 12(f). Whether to grant a motion to strike lies within the sound discretion of the district court. *Roadhouse v. Las Vegas Metro. Police Dep’t*, 290 F.R.D. 535, 543 (D. Nev. 2013). Additionally, the Court may strike an improper filing under its “inherent power over the administration of its business.” *Spurlock v. F.B.I.*, 69 F.3d 1010, 1016 (9th Cir. 1995). Similar to Rule 12(f) motions to strike, striking material under the Court’s inherent power is wholly discretionary. See *Almy v. Davis*, No. 2:12-cv-00129-JCM-VCF, 2014 WL 773813, at *4–5 (D.Nev. Feb. 25, 2014).

Rule 7(a) of the Federal Rules of Civil Procedure states that only these types of pleadings are allowed: (1) a complaint; (2) an answer to a complaint; (3) an answer to a counterclaim designated as a counterclaim; (4) an answer to a crossclaim; (5) a third-party complaint; (6) an

1 answer to a third-party complaint; and (7) if the court orders one, a reply to an answer. Fed. R. Civ.
2 P. 7(a). Rule 7(b) sets forth that a motion must be in writing unless it is made during a hearing or
3 trial, must state with particularity the grounds for seeking the order, and state the relief sought.
4 Fed. R. Civ. P. 7(b).

5 Defendant requests that the Court strike Plaintiff's "Request for Judicial Notice re
6 Complaint and Proposed First Amended Complaint" (ECF No. 19) as a document that does not
7 comport with the Federal Rules of Civil Procedure. Plaintiff's filing does not appear to be a
8 pleading as defined by the Federal Rules of Civil Procedure nor does it appear to request specific
9 relief. Further, LR 7-2(g) states that "[a] party may not file supplemental pleadings, briefs,
10 authorities, or evidence without leave of court granted for good cause. The judge may strike
11 supplemental filings made without leave of court." The Court, therefore, strikes Plaintiff's filing
12 (ECF No. 19) as a supplemental filing. Accordingly,

13 **IT IS HEREBY ORDERED** that Defendant's Motion to Strike ECF No. 19 (ECF No. 34)
14 is **granted**.

15 DATED this 11th day of July, 2017.

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18 GEORGE FOLEY, JR.
19 United States Magistrate Judge
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